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ATTORNEY DOCKET NUMBER

PTO-1390

# TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

79837

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/538.812

INTERNATIONAL APPLICATION NO. PCT/US03/039974

INTERNATIONAL FILING DATE
December 12, 2003

PRIORITY DATE CLAIMED

December 12, 2002

TITLE OF INVENTION

#### PICTURE HANGER FOR USE WITH GYPSUM BOARD AND INSTALLATION TOOL THEREFORE

APPLICANT(S) FOR DO/EO/US

Francis C. Peterson

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- 1. 

  This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
- 2. Mark This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
- 3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. Please do not delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
- 4. 

  The US has been elected (Article 31).
- 5. □ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. 

     □ is attached hereto (required only if not communicated by the International Bureau).
  - b. 😐 has been communicated by the International Bureau.
  - c. 📃 is not required, as the application was filed in the United States Receiving Office (RO/US).
- 6. 
  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. □ is attached hereto.
  - b. 😐 has been previously submitted under 35 U.S.C. 154(d)(4).
- 7. 😃 Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. 😃 are attached hereto (required only if not communicated by the International Bureau).
  - b. 

    have been communicated by the International Bureau.
  - c.  $\square$  have not been made; however, the time limit for making such amendments has NOT expired.
  - d. 

    have not been made and will not be made.
- 8. 

  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- 9. Mar oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Executed)
- 10. 
  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

#### Items 11. to 20. below concern document(s) or information included:

- 11. 

  △ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 and PTO/SB/08a Substitute for Form 1449/A PTO.
- 12. 😃 An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- 13. <a>\bulleta</a> A preliminary amendment.
- 14. 

  An Application Data Sheet under 37 CFR 1.76.
- 15. □ A substitute specification.
- 16. □ A power of attorney and/or change of address letter.
- 17. 

  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
- 18. □ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- 19. 

  A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- 20. 

  ☐ Other items or information: copy of Notice of Missing Requirements Under 35 U.S.C. 371 in the United States

  Designated/Elected Office (DO/EO/US)

<u></u>	= C. M. WEING D. LA. HEGO MAIL
"Express Mail" Mailing Label Number_	EL 524668053 US
Date of Deposit	DEC 0 7 2005
Postal Service "Express Mail Post Off indicated above and is addressed to	reing deposited with sufficient postage utilizing the United States fice to Addressee" Service under 37 CFR §1.10 on the date Mail Stop PCT, Commissioner for Patents, P.O. Box 1450,
(Typed o	r printed name of person mailing)
(Si	ignature of person mailing)

CERTIFICATE OF MAILING BY "EYDRESS MAIL"

The following fees are submitted: 2.	U.S. APPLICATION NO. (if k	(nown, see 37 CFR 1.5)		TIONAL APPLICATION NO. T/US03/039974			NEY DO <b>9837</b>	OCKET NUMBER	l
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100	or computer progra	im listing filed in an elec							
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  CLAIMS NUMBER FILED   NUMBER EXTRA   RATE   Total claims   3   - 20   = 0   x   \$50.00   \$0.00   Independent Claims   1   - 3   0   x   \$50.00   \$0.00   Independent Claims   1   - 3   0   x   \$50.00   \$0.00   MULTIPLE DEPENDENT CLAIM(S) (if applicable)   \$360.00   \$0.00    TOTAL OF ABOVE CALCULATIONS   \$130.00   □ Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by half.   \$65.00    Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  TOTAL NATIONAL FEE   \$65.00    Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.  TOTAL FEES ENCLOSED   \$65.00    Amount to be charged:    Amount to be charged:    B Please charge my Deposit Account No. 06-1135 in the amount of \$65.00    The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filled and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, IL 60603-3406 U.S.A.  Telephone: (312) 577-7000 Facsimile: (312) 577-7007	Total Sheets	Extra Sheets	Number or (round t	of each additional 50 fraction thereof up to whole number		RATE			
Irom the earliest claimed priority date (37 CFR 1.492(e)).   CLAIMS   NUMBER FILED   NUMBER EXTRA   RATE     Total claims   3   - 20   = 0   x   \$50.00   \$0.00     Independent Claims   1   - 3   = 0   x   \$50.00   \$0.00     MULTIPLE DEPENDENT CLAIM(S) (if applicable)   \$56.00   \$0.00     MULTIPLE DEPENDENT CLAIM(S) (if applicable)   \$56.00   \$0.00     Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by half.   \$65.00     Q Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by half.   \$65.00     Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   TOTAL NATIONAL FEE   \$65.00     Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.   \$0.00     TOTAL FEES ENCLOSED   \$65.00     Amount to be charged:   \$65.00     Amount to b						\$250.00	\$	0.00	
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).  TOTAL NATIONAL FEE = \$65.00  Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.  TOTAL FEES ENCLOSED = \$65.00  Amount to be refunded: \$  Amount to be charged: \$  a A check in the amount of \$ to cover the above fees is enclosed.  b Please charge my Deposit Account No. 06-1135 in the amount of \$_65.00 to cover the above fees. A duplicate copy of this sheet is enclosed.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, IL 60603-3406 U.S.A.  Telephone: (312) 577-7000  Facsimile: (312) 577-7007  ANME  SIGNATURE  Robert B. Jones  NAME  20,135	Applicant claims sm	nall entity status. See	37 CFR 1	.27. Fees above are re	educ	ed by half.	\$	65.00	
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a.  A check in the amount of \$ to cover the above fees is enclosed.  b.  Please charge my Deposit Account No. 06-1135 in the amount of \$_65.00 to cover the above fees. A duplicate copy of this sheet is enclosed. (Trans. No. 26400).  c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.  NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  SEND ALL CORRESPONDENCE TO:  FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, IL 60603-3406 U.S.A.  Telephone: (312) 577-7000 Facsimile: (312) 577-7007	1								\$
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SEND ALL CORRESPONDENCE TO:  FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, IL 60603-3406 U.S.A.  Telephone: (312) 577-7000 Facsimile: (312) 577-7007  SIGNATURE Robert B. Jones  NAME 20,135							o revi	ve (37 CFR 1	.137(a) or (b))
120 South LaSalle Street, Suite 1600 Chicago, IL 60603-3406 U.S.A.  Telephone: (312) 577-7000 Facsimile: (312) 577-7007  SIGNATURE Robert B. Jones NAME 20,135		_			-	23			
Telephone: (312) 577-7000 Facsimile: (312) 577-7007  20,135	120 South LaSall	le Street, Suite 1600			SIG	NATURE /			
Telephone: (312) 577-7000 NAME Facsimile: (312) 577-7007 20,135	Chicago, IL 6060	03-3406 U.S.A.				Robert B. Jone	es		
<u>20,135</u>					NAM				
REGISTRATION NUMBER	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	, <del></del>				20,135			
	<u> </u>				REG	ISTRATION NUMBE	 R		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln No.:	10/538,812	) Confirmation No. 5677		
Filed:	June 13, 2005	) CERTIFICATE OF MAILING BY "EXPRESS MAIL"		
Applicant(s):	Francis C. Peterson	) "Express Mail" Mailing Label Number		
Title:	PICTURE HANGER FOR USE WITH GYPSUM BOARD AND	) Date of Deposit DEC 0 7 2005		
	INSTALLATION TOOL THEREFORE	<ul> <li>I hereby certify that this paper or fee is being deposited</li> <li>with the United States Postal Service "Express Mail Post</li> <li>Office to Addressee" Service under 37 CFR §1.10 on the</li> <li>date indicated above and is addressed to the Mail Stop</li> </ul>		
Art Unit:	Not Yet Assigned	) PCT, Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450.		
Examiner: Not Yet Assigned		(Typed or printed name of person mailing)		
Attorney Docl	ket: <b>79837</b>	(Signature of person mailing)		
Customer No	.: <b>22242</b>			

Mail Stop **PCT** Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Sir:				
In re	espo	nse to the Notification of Missing Requirements Under 35 U.S.C. 371 dated 11/9/05,		
ۃ	A c	copy of the Notification of Missing Requirements Under 35 U.S.C. 371 is enclosed.		
므	A F	Petition for Extension of Time for reply within the month is attached.		
՛	An	executed Declaration for Patent Application, including Power of Attorney, is enclosed.		
므		_ sheet(s) of drawings are enclosed. □ Formal □ Informal		
<u> </u>	An Assignment of the invention to, and Recordation Form Co Sheet - Patents Only - Form PTO-1595, are enclosed.			
	ㅁ	A check in the amount of \$ to cover the fee for recording the assignment is enclosed.		
		The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment. Charge \$ to Deposit Account No. 06-1135.		

#### $\underline{\boxtimes}$ The fees are calculated below:

K

<u></u>	Provisional Application Filing Fee \$200.00  Application size fee for each additional 50 sheets that exceeds 100 sheets \$x \$250.00 = \$50.00  Surcharge Fee \$50.00  Search Fee \$100.00  Examination Fee \$130.00	\$	0.00
	<ul> <li>Applicant(s) assert entitlement to Small Entity Status</li> <li>(37 C.F.R. § 1.27), reducing the Total Fees by half to:</li> </ul>	\$	0.00
_	Basic Filing Fee - Utility \$ 300.00		
	Independent Claims - 3 = 0 x \$ 200.00 =	\$	0.00
	Total Claims - 20 = 0 x \$ 50.00 =	\$	0.00
	Fee for Multiple Dependent Claims \$ 360.00		
	Surcharge Fee \$ 130.00	\$	130.00
	Application Size Fee for each additional 50 sheets that exceeds 100 sheets		\$0.00
	Search Fee \$ 500.00		
	Examination Fee \$ 200.00		
	Total Fees	\$	130.00
	<ul> <li>Applicant(s) assert entitlement to Small Entity Status (37 C.F.R. § 1.27), reducing the Total Fees by half to:</li> </ul>	\$	65.00
	Basic Filing Fee - Design \$ 200.00		
	Surcharge Fee \$ 130.00		<del></del>
	Search Fee \$ 100.00	•	
	Examination Fee \$ 130.00		
	Total Fees	\$	0.00
	<ul> <li>Applicant(s) assert entitlement to Small Entity Status</li> <li>(37 C.F.R. § 1.27), reducing the Total Fees by half to:</li> </ul>	\$	0.00

Attorney Docket No. 79837

The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

Date

Robert B. Jones

Registration No. 20,135

FITCH, EVEN, TABIN & FLANNERY 120 South LaSalle Street, Suite 1600 Chicago, Illinois 60603-3406

Telephone: (312) 577-7000 Facsimile: (312) 577-7007

v



#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Vinginia 22313-1450

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY, DOCKET NO.
10/538,812	Francis C Peterson	7834 79837

Kenneth H. Samples Fitch Even Tabin & Flannery 120 South LaSalle Street Suite 1600 Chicago, IL 60603-3406 **DOCKETED** 

NOV 1 8 2005

Du 1/9/06

INTERNATIONAL APPLICATION NO.

PCT/US03/39974

I.A. FILING DATE PRIORITY DATE

12/12/2003 12/13/2002

CONFIRMATION NO. 5677 371 FORMALITIES LETTER

Date Mailed: 11/09/2005

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/13/2005
- Copy of the International Search Report filed on 06/13/2005
- Oath or Declaration filed on 06/13/2005
- U.S. Basic National Fees filed on 06/13/2005
- Priority Documents filed on 06/13/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath
  or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27,
  must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

\$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filling a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

#### KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

#### PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/538,812	PCT/US03/39974	79837

FORM PCT/DO/EO/905 (371 Formalities Notice)